

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1582-01
Bill No.: HB 700
Subject: Liability; Licenses - Driver's; Motor Vehicles
Type: Original
Date: March 15, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Highway Funds	(\$80,418)	(\$85,538)	(\$87,682)
Total Estimated Net Effect on <u>All</u> State Funds	(\$80,418)	(\$85,538)	(\$87,682)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials with the **Department of Transportation** and the **Office of State Courts Administrator** assume no fiscal impact to their agencies.

Officials with the **Department of Elementary and Secondary Education** (DESE) assume this proposal would require persons less than seventeen years of age to be either a high school graduate or enrolled in a public, private, or home school and have a grade point average of at least 2.0 on a 4.0 scale to receive a temporary instruction permit. There does not appear to be an increased cost to the state in the area of education funding.

Officials from the **Department of Revenue** (DOR) assume this proposal requires an applicant for an instruction permit or an intermediate driver's license who is less than seventeen years of age to provide proof that the applicant has either graduated from high school or proof of enrollment in a public, private, or home school and have a grade point average of at least 2.0.

This proposal also requires that a parent or guardian of a minor who receives a citation for a moving violation to sign the citation prior to forwarding it to the court. This has no impact on the Department of Revenue.

Finally, this proposal requires immediate suspension of a driver's license at the scene of an automobile accident that results in a fatality. If the operator is charged with a violation of certain hazardous driving offenses, bond shall be set at \$30,000. This has no impact on the Department of Revenue.

School Enrollment

Under this proposal, there are no sanctions for individuals who drop out of high school after obtaining a driver's license. The Driver and Vehicle Services Bureau assumes that the sanctioning of driving privileges based on school enrollment prior to issuance of a license will have no impact. An individual can simply obtain the license at the age of 16 and drop out of school after the license is obtained.

Without imposing sanctions after the license is issued, this proposal will have little or no impact to the volume of licenses issued to high school age license applicants.

The Driver and Vehicle Services Bureau assumes that a form will be issued by a school in order to provide documentation of enrollment. The Driver and Vehicle Services Bureau assumes this form will be reviewed by the license office personnel prior to issuance of the license or permit and the clerk will not enter any data from this form into the over-the-counter licensing system.

ASSUMPTION (continued)

Moving Violations (Minors)

The requirement for a parent or guardian to sign a citation issued to a minor for a moving violation under this proposal will have no impact on the Department of Revenue.

Fatal Accidents

The new section in 302.512 RSMo requires an immediate driver's license suspension of anyone involved in an accident which results in a fatality. Since this language is placed in section 302.500, the Administrative DWI Law, the General Counsel's office interprets that this will allow individuals who have been issued notice of such suspension to have an administrative hearing pursuant to the administrative hearing process required in the Administrative DWI Law (section 302.530 RSMo.)

The Drivers License Bureau contacted the Missouri State Highway Patrol, Ron Beck and obtained data from the 1999 Missouri Traffic Safety Compendium. The compendium shows the number of fatal crashes for 1999 was 964.

Since this proposal (as it is written) would require the suspension of a license of every person who operates a motor vehicle at the time it is involved in a fatal accident regardless of negligence, the General Counsel's Office estimates a significant number of hearings as a result. The General Counsel's office estimates 75% of all fatal accidents will result in a request for an administrative hearing. This will result in an additional 60 hearings per month. This will require the services of one Legal Counsel and one Clerk Typist III in order to prepare and maintain the hearing docket.

Oversight assumes DOR will need two FTE and related equipment and expense funding to administer these new provisions. Oversight has reduced the amount requested by DOR by the amount of office space rental, assuming the new FTE can be located in existing space.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
HIGHWAY FUNDS			
<u>Cost - Department of Revenue</u>			
Personal Service	(\$51,510)	(\$63,358)	(\$64,942)
Fringe Benefits	(\$17,168)	(\$21,117)	(\$21,645)
Equipment	(\$10,770)	\$0	\$0
Expense	(\$970)	(\$1,063)	(\$1,095)
ESTIMATED NET EFFECT ON HIGHWAY FUNDS	<u>(\$80,418)</u>	<u>(\$85,538)</u>	<u>(\$87,682)</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

Beginning January 1, 2002, this proposal would require that an applicant for a temporary instruction permit who is less than seventeen years of age must be either a high school graduate or enrolled in a public, private or home school and must have a grade point average of at least 2.0 on a 4.0 scale to receive a permit, and no permit shall be issued to such an applicant unless proof of compliance with this requirement is proven by official documentation from the school, college, or university where the applicant is enrolled.

This proposal would also require a minor who receives a citation for a moving violation pursuant to any law, rule, or regulation of this state, or ordinance of any political subdivision of this state, to return the citation, bearing the signature of the minor's parent or legal guardian, together with any fine thereon, to the proper authority indicated on the citation, unless the minor is emancipated, as provided by this section.

In addition, this proposal would require the driver's license of any person who operates a motor vehicle at the time it is involved in a fatal accident to be immediately suspended at the scene. Such person shall have the right to administrative review as provided by this chapter.

DESCRIPTION - continued

This proposal would also require, in the case of any motor vehicle operator who is charged with a hazardous driving offense by the department of public safety, and in which violation a fatality occurs, that bond shall be set at thirty thousand dollars.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Revenue
Department of Transportation
Office of State Courts Administrator
Department of Elementary and Secondary Education

NOT RESPONDING

Department of Public Safety
Missouri Highway Patrol

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large initial "J" and a cursive "e" at the end.

Jeanne Jarrett, CPA
Director
March 15, 2001